

**HOUSE JOURNAL  
63RD LEGISLATURE  
THIRTY-FIRST LEGISLATIVE DAY**

Helena, Montana  
February 12, 2013

House Chambers  
State Capitol

House convened at 1:00 p.m. Mr. Speaker presiding. Invocation by Representative Gursky. Pledge of Allegiance to the Flag.

Roll Call. All members present, except Representative Warburton, excused. Quorum present.

**BILLS** (O'Hara, Chair): 2/12/2013

Correctly printed: **HB 12, HB 277, HB 321, HB 325, HB 328, HB 337, HB 346, HB 356, HB 443, HB 444, HB 445, HB 446, HB 447, HB 448, HB 449, HB 450, HB 451, HB 452, HB 453, HB 455, HJR 9, HJR 11.**

Correctly engrossed: **HB 233, HB 299.**

Examined by the sponsor and found to be correct: **HB 17, HB 107.**

Transmitted to the Senate: **HB 100, HB 146, HB 147, HB 247, HB 278, SB 111.**

**REPORTS OF STANDING COMMITTEES**

**TRANSPORTATION** (Lavin, Chair): 2/11/2013

**HB 299**, introduced bill, be amended as follows:

1. Title, line 6.

**Strike:** "HARLEM"

**Insert:** "THE BOUNDARY OF THE FORT BELKNAP RESERVATION"

2. Page 1, line 16.

**Strike:** "2004"

**Insert:** "2003"

3. Page 2, line 5.

**Strike:** "western boundary of the city of Harlem"

**Insert:** "boundary of the Fort Belknap Reservation"

And, as amended, do pass. Report adopted.

**MESSAGES FROM THE SENATE**

**House bill** concurred in and returned to the House: 2/11/2013

**HB 107**, introduced by Lynch

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**Senate bills** passed and transmitted to the House for concurrence:

2/11/2013

**SB 96**, introduced by Tutvedt  
**SB 112**, introduced by Blewett  
**SB 120**, introduced by Buttrey  
**SB 138**, introduced by Wittich

**FIRST READING AND COMMITMENT OF BILLS**

The following House bills were introduced, read first time, and referred to committees:

**HB 443**, introduced by Cook, Zolnikov, referred to Taxation.  
**HB 444**, introduced by Jacobson, B. Bennett, Blasdel, Connell, Doane, Flynn, Hunter, Kary, Lieser, McNally, Mehlhoff, Miller, O'Hara, Pierson, Pomnichowski, Price, Van Dyk, Vance, Washburn, Welborn, Wilmer, referred to Taxation.  
**HB 445**, introduced by Reichner, Ingraham, referred to State Administration.  
**HB 446**, introduced by Schwaderer, Kerns, Miller, C. Smith, referred to Judiciary.  
**HB 447**, introduced by Peppers, referred to Education.  
**HB 448**, introduced by Brodehl, referred to State Administration.  
**HB 449**, introduced by O'Neil, referred to Human Services.  
**HB 450**, introduced by Hagan, Knudsen, referred to Business and Labor.  
**HB 451**, introduced by Galt, Ehli, Flynn, Lenz, Randall, referred to Local Government.  
**HB 452**, introduced by Cook, Lewis, McChesney, referred to Appropriations.  
**HB 453**, introduced by Coffin, B. Bennett, Boland, Curtis, Hertz, Lieser, D. Moore, Pomnichowski, Price, Redfield, Salomon, B. Smith, Swanson, Washburn, Woods, referred to Education.  
**HB 455**, introduced by Blyton, Ballance, Glimm, Hertz, Laszloffy, referred to Local Government.

The following House joint resolution was introduced, read first time, and referred to committee:

**HJR 11**, introduced by Regier, referred to Federal Relations, Energy, and Telecommunications.

**SECOND READING OF BILLS  
(COMMITTEE OF THE WHOLE)**

Majority Leader Vance moved the House resolve itself into a Committee of the Whole for consideration of business on second reading. Motion carried. Representative Hagan in the chair.

Mr. Speaker: We, your Committee of the Whole, having had under consideration business on second reading, recommend as follows:

**HB 12** - Representative Pease-Lopez moved **HB 12** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Ehli, Fitzpatrick, Gibson, Greef, Gursky,

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Hagan, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Ingraham, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.  
Total 64

Nays: J. Bennett, Berry, Brodehl, Doane, Edmunds, Fiscus, Flynn, Galt, Glimm, Hagstrom, Halvorson, Howard, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lenz, Miller, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, White, Zolnikov.  
Total 36

Voted Absentee: Warburton, No.

Excused: None.  
Total 0

Absent or not voting: None.  
Total 0

**HB 222** - Representative Miller moved **HB 222** do **not** pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Mehlhoff, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Williams, Zolnikov, Mr. Speaker.  
Total 61

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Wilmer, Wilson, Woods.  
Total 38

Voted Absentee: Warburton, Aye.

Excused: None.  
Total 0

Absent or not voting: Coffin.  
Total 1

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**HB 233** - Representative Lavin moved **HB 233**, second reading copy, be amended as follows:

1. Page 2, line 28.

**Following:** "continuous"

**Insert:** ", remote sensing,"

2. Page 3, line 4.

**Following:** "continuous"

**Insert:** ", remote sensing,"

3. Page 4, line 8.

**Following:** "data"

**Insert:** "collected from the pilot program"

Amendment adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.  
Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 233** - Representative Lavin moved **HB 233**, as amended, do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan,

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Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 96

Nays: Kerns, Miller, Schwaderer, Zolnikov.

Total 4

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 277** - Representative McChesney moved **HB 277** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Hansen, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Reichner, Salomon, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, Whitford, Williams, Wilmer, Wilson, Mr. Speaker.

Total 84

Nays: Brodehl, Doane, Fitzpatrick, Halvorson, Harris, Hertz, Jones, Kary, Kerns, O'Neil, Osmundson, Regier, Schwaderer, White, Woods, Zolnikov.

Total 16

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

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**HB 321** - Representative Greef moved **HB 321** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McCarthy, McNiven, Mehlhoff, Miller, Moore, O'Hara, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 63

Nays: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNally, Neill, Noonan, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 37

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 325** - Representative Regier moved **HB 325** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Galt, Gibson, Greef, Gursky, Hagan, Hagstrom, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Moore, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Redfield, Regier, Reichner, Schreiner, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods.

Total 81

Nays: J. Bennett, Berry, Cuffe, Doane, Flynn, Glimm, Halvorson, Jones, Kerns, Knudsen, Miller, O'Neil, Osmundson, Randall, Salomon, Schwaderer, Vance, Zolnikov, Mr. Speaker.

Total 19

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

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Absent or not voting: None.

Total 0

**HB 328** - Representative Washburn moved **HB 328** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, McChesney, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, O'Hara, O'Neil, Osmundson, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 83

Nays: Boland, Boss Ribs, Brockie, Curtis, Lynch, MacDonald, McCarthy, McClafferty, Noonan, Pease-Lopez, Peppers, Pomnichowski, Price, B. Smith, Whitford, Williams, Wilson.

Total 17

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 337** - Representative Redfield moved **HB 337** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

Total 100

Nays: None.

Total 0

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Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HB 346** - Representative Salomon moved **HB 346** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Doane, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Lenz, McChesney, McNally, McNiven, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Warburton, Washburn, Welborn, White, Woods, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Boss Ribs, Curtis, Dudik, Gibson, Hunter, Jacobson, Lavin, Lieser, Lynch, MacDonald, McCarthy, McClafferty, Mehlhoff, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Squires, Swanson, Whitford, Williams, Wilmer, Wilson.

Total 27

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: Laszloffy.

Total 1

**HB 356** - Representative Clark moved **HB 356** do pass. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Warburton, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Zolnikov, Mr. Speaker.

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Total 100

Nays: None.

Total 0

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 9** - Representative Boland moved **HJR 9**, second reading copy, be amended as follows:

1. Title, page 1, line 5.

**Strike:** "COAL"

**Insert:** "NATURAL"

**Strike:** "COAL-BASED"

**Following:** "ELECTRICITY"

**Insert:** "GENERATION"

2. Page 1, line 7.

**Strike:** "coal represents"

**Insert:** "Montana has some of"

**Strike:** "source"

**Insert:** "sources"

3. Page 1, line 8.

**Strike:** "coal is one"

**Insert:** "Montana contains some"

**Strike:** "fuel"

**Insert:** "energy"

4. Page 1, line 10.

**Strike:** "coal-based"

5. Page 1, line 12 through line 13.

**Strike:** "more" on line 12 through "in" on line 13

**Insert:** "sufficient energy resources to meet the needs of"

6. Page 1, line 13.

**Strike:** "with" through "reserves"

7. Page 1, line 14 through line 16.

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**Strike:** line 14 through line 16 in their entirety

8. Page 1, line 17.

**Strike:** "coal"

**Insert:** "natural"

9. Page 1, line 19.

**Strike:** the first "the" through "Montana"

**Insert:** "Montana's natural resources"

10. Page 1, line 21 through line 22.

**Strike:** line 21 through line 22 in their entirety

11. Page 2, line 3.

**Strike:** "coal-based"

**Insert:** "natural resources"

Amendment **not** adopted as follows:

Yeas: B. Bennett, Boland, Boss Ribs, Brockie, Coffin, Cook, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hoven, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 42

Nays: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Brodehl, Clark, Connell, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 58

Voted Absentee: Warburton, No.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

**HJR 9** - Representative McNiven moved **HJR 9** be adopted. Motion carried as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Berry, Blyton, Boss Ribs, Brockie, Brodehl, Clark, Connell, Cook, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson,

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Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hollandsworth, Hoven, Howard, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lynch, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Pierson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Warburton, Washburn, Welborn, White, Wilmer, Zolnikov, Mr. Speaker.

Total 72

Nays: B. Bennett, Boland, Coffin, Court, Curtis, Dudik, Eck, Gursky, Hill, Hollenbaugh, Hunter, Lieser, MacDonald, McCarthy, McNally, Neill, Peppers, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilson, Woods.

Total 28

Voted Absentee: Warburton, Aye.

Excused: None.

Total 0

Absent or not voting: None.

Total 0

Majority Leader Vance moved the committee rise and report. Motion carried. Committee arose. House resumed. Mr. Speaker presiding. Chair Hagan moved the Committee of the Whole report be adopted. Report adopted as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, J. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Brodehl, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McChesney, McClafferty, McNiven, Mehlhoff, Miller, Moore, Noonan, O'Hara, O'Neil, Osmundson, Pease-Lopez, Peppers, Pierson, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Schwaderer, Shaw, B. Smith, C. Smith, Steenberg, Vance, Wagoner, Washburn, Welborn, White, Whitford, Wilmer, Woods, Zolnikov, Mr. Speaker.

Total 91

Nays: McCarthy, McNally, Neill, Pomnichowski, Squires, Swanson, Williams, Wilson.

Total 8

Voted Absentee: None.

Excused: Warburton.

Total 1

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Absent or not voting: None.

Total 0

**THIRD READING OF BILLS**

The following bills having been read three several times, title and history agreed to, were disposed of in the following manner:

**HB 105** passed as follows:

Yeas: Ankney, Ballance, Bangerter, B. Bennett, Berry, Blyton, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Cuffe, Curtis, Doane, Dudik, Eck, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Gibson, Glimm, Greef, Gursky, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hill, Hollandsworth, Hollenbaugh, Hoven, Howard, Hunter, Ingraham, Jacobson, Kary, Knudsen, Lang, Laszloffy, Lavin, Lenz, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, McNiven, Mehlhoff, Miller, Moore, Neill, Noonan, O'Hara, O'Neil, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Randall, Redfield, Regier, Reichner, Salomon, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Vance, Wagoner, Washburn, Welborn, White, Whitford, Williams, Wilmer, Wilson, Woods, Mr. Speaker.

Total 91

Nays: J. Bennett, Brodehl, Jones, Kerns, Osmundson, Schwaderer, C. Smith, Zolnikov.

Total 8

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

**HB 158** passed as follows:

Yeas: Ankney, Ballance, Bangerter, J. Bennett, Blyton, Brodehl, Clark, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagan, Hagstrom, Halvorson, Hansen, Harris, Hertz, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, Shaw, C. Smith, Vance, Wagoner, Washburn, Welborn, White, Zolnikov, Mr. Speaker.

Total 53

Nays: B. Bennett, Berry, Boland, Boss Ribs, Brockie, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hill, Hollandsworth, Hollenbaugh, Hoven, Hunter, Jacobson,

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Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, O'Hara, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, B. Smith, Squires, Steenberg, Swanson, Whitford, Williams, Wilmer, Wilson, Woods.

Total 46

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

**HB 315 failed** as follows:

Yeas: Ballance, J. Bennett, Blyton, Brodehl, Cuffe, Doane, Edmunds, Ehli, Fiscus, Fitzpatrick, Flynn, Galt, Glimm, Greef, Hagstrom, Halvorson, Hansen, Harris, Hertz, Hoven, Howard, Ingraham, Jones, Kary, Kerns, Knudsen, Lang, Laszloffy, Lavin, Lenz, McNiven, Miller, Moore, O'Hara, O'Neil, Osmundson, Randall, Redfield, Regier, Reichner, Salomon, Schwaderer, C. Smith, Vance, Wagoner, Washburn, White, Zolnikov, Mr. Speaker.

Total 49

Nays: Ankney, Bangerter, B. Bennett, Berry, Boland, Boss Ribs, Brockie, Clark, Coffin, Connell, Cook, Court, Curtis, Dudik, Eck, Gibson, Gursky, Hagan, Hill, Hollandsworth, Hollenbaugh, Hunter, Jacobson, Lieser, Lynch, MacDonald, McCarthy, McChesney, McClafferty, McNally, Mehlhoff, Neill, Noonan, Pease-Lopez, Peppers, Pierson, Pomnichowski, Price, Schreiner, Shaw, B. Smith, Squires, Steenberg, Swanson, Welborn, Whitford, Williams, Wilmer, Wilson, Woods.

Total 50

Voted Absentee: None.

Excused: Warburton.

Total 1

Absent or not voting: None.

Total 0

**SPECIAL ORDERS OF THE DAY**

The Speaker welcomed Representative Squires back to the House after her brief illness.

On a **Point of Personal Privilege** Representative Kerns apologized to the Lewis & Clark Sheriffs Department for having said in testimony earlier in the session that two Sheriff vehicles had come close to running him down while he was jogging, after the Sheriff's department

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reviewed their videos it was determined that it was not them who had caused Representative Kerns concern, but was other officers with light bars on the roof of their vehicles.

**MOTIONS**

Majority Leader Vance moved **HB 346** be moved from the Committee of the Whole to the Appropriations committee.

**ANNOUNCEMENTS**

Committee meetings were announced by the committee chairs.

Majority Leader Vance moved that the House adjourn until 1:00 p.m., Wednesday, February 13, 2013. Motion carried.

House adjourned at 2:45 p.m.

LINDSEY GROVOM  
Chief Clerk of the House

MARK BLASDEL  
Speaker of the House